

N. Y., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about October 14 and October 28, 1935, from the State of New York into the States of Colorado and Illinois, respectively, of quantities of Hem-Roid that was misbranded. The article was labeled in part; "Hem-Roid \* \* \* Dr. Leonhardt Co. Buffalo, N. Y."

It was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, borne on the bottles and cartons and contained in a circular shipped with it, falsely and fraudulently represented that it was effective as an internal palliative treatment for attacks of piles caused or aggravated by acute hepatic congestion.

On October 7, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$200.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27905. Adulteration and misbranding of absorbent cotton. U. S. v. 10½ Pounds of Absorbent Cotton. Default decree of condemnation and destruction. (F. & D. No. 39109. Sample No. 12549-C.)**

This product was represented to be sterile but was in fact contaminated with viable micro-organisms.

On February 19, 1937, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10½ pounds of absorbent cotton at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about January 12, 1937, by the White Cross Laboratories, Inc. [The American White Cross Laboratories, Inc.] from Cape Girardeau, Mo., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the professed quality or standard under which it was sold, namely, "Sterilized \* \* \* Absorbent Cotton," since it was not sterilized but did contain viable micro-organisms.

It was alleged to be misbranded in that the statements on the label, "Sterilized \* \* \* Absorbent Cotton," "The White Cross of Perfection is your Protection," and "Esterilizado [Spanish for "sterilized"]," were false and misleading when applied to an article which was not sterilized but did contain micro-organisms.

On October 5, 1937, the case having been called and the claimant having failed to appear, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27906. Adulteration and misbranding of Alcothol-Rub. U. S. v. 138 Pint Bottles of Alcothol-Rub. Default decree of condemnation and destruction. (F. & D. No. 39512. Sample No. 28281-C.)**

The shipping carton of this product was labeled "Alcohol 70%" and the bottle was labeled to indicate that the alcohol present was ethyl alcohol; the product contained no ethyl alcohol and not more than 2 percent of isopropyl alcohol. The labels failed to bear a statement of the quantity or proportion of isopropyl alcohol.

On April 29, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 138 bottles of Alcothol-Rub at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about October 19, 1935, by Fallis, Inc., from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Alcothol-Rub \* \* \* Endorsed by the Medical Profession The Perfect Rubbing Compound \* \* \* Alcothol-Rub Co. New York"; (shipping carton) "Rubbing Alcohol Compound Alcohol—70%."

It was alleged to be adulterated in that its strength fell below the professed standard under which it was sold, namely, "Rubbing Alcohol Compound, Alcohol 70%," since it contained no ethyl alcohol but did contain a very small amount of isopropyl alcohol and a trace of witch-hazel oil and 98 percent of water.

It was alleged to be misbranded in that the statement on the bottle label, "Alcothol-Rub, Endorsed by the Medical Profession," was false and misleading since it created the impression that the article consisted essentially of alcohol and that the medical profession as a whole had endorsed it; whereas it contained no ethyl alcohol and the medical profession had not given it such endorsement. It was alleged to be misbranded further in that the statement on the shipping

container, "Rubbing Alcohol Compound, Alcohol 70%," was false and misleading; and in that the package failed to bear on its label a statement of the quantity or proportion of isopropyl alcohol contained therein since no declaration of isopropyl alcohol was made.

On October 27, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27907. Misbranding of Eupraxine Eczema Salve and Eupraxine Wound Salve. U. S. v. 22 (60c-Size) and 16 (30c-Size) Packages of Eupraxine Eczema Salve and 12 (60c-Size) and 17 (30c-Size) Packages of Eupraxine Wound Salve. Default decrees of condemnation and destruction. (F. & D. Nos. 39651, 39652. Sample Nos. 14654-C, 14655-C.)**

The labeling of these products contained false and fraudulent representations regarding their curative or therapeutic effects.

On June 3, 1937, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of the above-named drug products at Toledo, Ohio, alleging that the articles had been shipped in interstate commerce in various shipments on or about September 17 and November 5, 1936, and March 8, 1937, by the Eupraxine Co. from Detroit, Mich., and charging misbranded in violation of the Food and Drugs Act as amended.

Analyses showed that the eczema salve consisted essentially of zinc stearate and boric acid incorporated in petrolatum; and that the wound salve consisted essentially of ichthammol and petrolatum.

The articles were alleged to be misbranded in that the following statements regarding their curative or therapeutic effects, appearing in the labeling, were false and fraudulent: (Eczema salve, wrapper of both sizes and retail container of 60-cent size) "Eczema Salve \* \* \* For the treatment of Eczema or Salt Rheum, in all its different dry and moist forms, of ulcers or sore legs, of acne or pimples, of intertrigo"; (further statements on retail container, 60-cent size) "For the treatment of moist and discharging surfaces, such as weeping eczema, running sores, etc., \* \* \* For the treatment of the face \* \* \* If the right amount is taken the paste will quickly disappear leaving the skin soft and white"; (retail container, 30-cent size) "Relieves the itching of eczema. Allays irritation of acne or pimples, or intertrigo \* \* \* and is soothing for moist skin irritations"; (wound salve, wrapper) "Wound Salve," (metal container, 60-cent size, and wholesale carton, 30-cent size) "For the treatment of fresh, inflamed or poisoned wounds, burns, \* \* \* felons, carbuncles, \* \* \* bunions, \* \* \* and erysipelas," (metal container, 60-cent size) "\* \* \* the sore spot."

On October 19, 1937, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27908. Misbranding of Eby's Swine Medicine. U. S. v. Frank D. Eby (Eby Remedy Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 39723. Sample No. 30094-C.)**

The labeling of this product contained false and fraudulent representations regarding its curative or therapeutic effects.

On September 28, 1937, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Frank D. Eby, trading as the Eby Remedy Co., Marengo, Iowa, alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about February 5, 1937, from the State of Iowa into the State of Nebraska of a quantity of Eby's Swine Medicine that was misbranded.

Analysis showed that the article consisted essentially of creosote oils and eucalyptus, colored with a red dye.

It was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, borne on the bottles, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for colds in swine and poultry and as a preventive of pneumonia in swine and poultry; effective to soothe inflammation and check fever; and effective as a rebuilder or to cause hogs to regain weight.

On September 28, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$25 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*